

COMBINED DECLARATION AND POWER OF ATTORNEY
FOR PLANT PATENT APPLICATION

As the below named inventors, We hereby declare that:

Our residences, post office addresses and citizenships are as stated below next to our respective names.

We believe we are the original, first and sole inventors of a new and distinct variety of an apple tree named 'CO-OP 29', which is claimed and for which a plant patent is sought, the specification of which is attached hereto, and that we have reviewed and understand the contents of the above-identified specification, including the claim.

We hereby state that a new and distinct variety has been asexually reproduced under the direction and control of at least one of the inventors. The new and distinct variety was developed out of a hybridization program. The original tree was growing in a cultivated area when selected.

We acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

We hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent, plant breeders rights certificate, or inventor's certificate listed below and have also identified below any foreign application for patent, plant breeders rights certificate, or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority
Claimed

(Number)

(Country)

(Day/Month/Year Filed)

☐
Yes

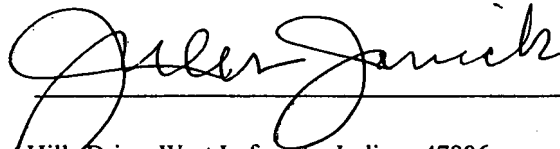
☐
No

Each inventor hereby declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of First Inventor:

Jules Janick

Inventor's Signature



Dec 12, 2001
Date

Residence: 420 Forest Hills Drive, West Lafayette, Indiana 47906

Citizenship: United States of America

Post Office Address: 420 Forest Hills Drive, West Lafayette, IN 47906

Full Name of Second Inventor: Edwin B. Williams

Inventor's Signature

Edwin B Williams

Dec 11, 2001

Date

Residence: 801 S. 12th St., Lafayette, Indiana 47905

Citizenship: United States of America

Post Office Address: 801 S. 12th St., Lafayette, IN 47905

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Janick et al.

Application No: --

Filed: herewith

For: APPLE TREE NAMED 'Co-op 29'

POWER OF ATTORNEY BY ASSIGNEE
(REVOCATION OF PRIOR POWERS)COMMISSIONER FOR PATENTS
Washington, DC 20231

As assignee of Purdue Research Foundation (assignment herewith) of the entire interest of the Application referenced above, all powers of attorney previously given are hereby revoked. The practitioners associated with the customer number provided below are hereby appointed to transact all business in the U.S. Patent and Trademark Office connected with the referenced application and all continuations and divisionals thereof.

Customer number

**24197**

KSCLW

Name	Reg. No.	Name	Reg. No.
BUNKER, Gillian	47,461	ORR, David E.	44,988
BURG, Daniel B.	41,649	PETERSEN, David P.	28,106
CALDWELL, Lisa M.	41,653	POLLEY, Richard J.	28,107
CARLSON, Anne	47,472	RINEHART, Kyle B.	47,027
GIRARD, Michael P.	38,467	RUPERT, Wayne W.	34,420
HAENDLER, Jeffrey B.	43,652	RYBAK, Sheree L.	47,913
HARDING, Tanya M.	42,630	SCOTTI, Robert F.	39,830
JAKUBEK, Joseph T.	34,190	SIEGEL, Susan Alpert	43,121
JONCUS, Stephen J.	44,809	SLATER, Stacey C.	36,011
JONES, Michael D.	41,879	STEPHENS Jr., Donald L.	34,022
KLARQUIST, Kenneth S.	16,445	STUART, John W.	24,540
KLITZKE II, Ramon A.	30,188	VANDENBERG, John D.	31,312
LEIGH, James S.	20,434	WHINSTON, Arthur L.	19,155
MCLEOD, Richard D.	46,921	WIGHT, Stephen A.	37,759
MAURER, Gregory L.	43,781	WINN, Garth A.	33,220
MIRHO, Charles A.	41,199	ZASTROW, Devon J.	P-50,175
NOONAN, William D.	30,878		

Address all future correspondence to:

Customer Number

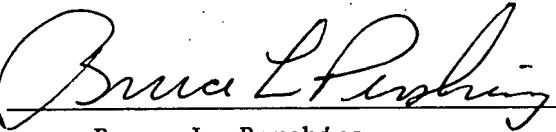


24197
KSCLW

Address all telephone calls to David P. Petersen at telephone number (503) 226-7391.

The undersigned is authorized to sign this Power of Attorney by Assignee on behalf of the assignee.

Executed at W.Lafayette on the 10th day of December, 2001.

By 

Name Bruce L. Pershing

Title Investment Officer and Corporate Secretary

RECORDATION FORM COVER SHEET – PATENTS ONLYBOX PATENT APPLICATION
COMMISSIONER OF PATENTS AND TRADEMARKS
WASHINGTON, D.C. 20231**1. Total number of pages including cover sheet, attachments and document: 4****2. Name of Conveying Party(ies) and Execution Date(s) of Document(s)** ☐ Check here if additional name(s) attachedName(s): Jules Janick and ^{E. W. N.} E. B. Williams

Execution Date(s): December 12, 2001, and December 11, 2001

3. Name and address of receiving party☐ Check here if additional name(s) & address(es) are attached

Name Purdue Research Foundation

Address 1291 Cumberland Avenue

City West Lafayette

State/Country Indiana

Zip 47906

4. Nature of Conveyance☒ Assignment ☐ Merger ☐ Security Agreement ☐ Name Change ☐ Other:**5. Total number of applications and patents involved: 1****6. Total Fee Enclosed (37 C.F.R. § 3.41): \$40.00****7. ☒ Check here if any deficiency/overpayment is authorized to be charged to deposit account 02-4550****8. Enter either the Execution date (of the Declaration and Power of Attorney), Application Number, or the Patent Number. Do not enter more than one number for the same patent.**A. ☒ This document is being filed with a new application. Execution date is: 12/12/01 and 12/11/01B. ☐ Patent Application No.(s) or Patent No.(s): _____☐ Check here if additional numbers are attached**9. Correspondent's name, address, and telephone number**

David P. Petersen

Klarquist Sparkman, LLP

One World Trade Center, Suite 1600

121 S.W. Salmon Street

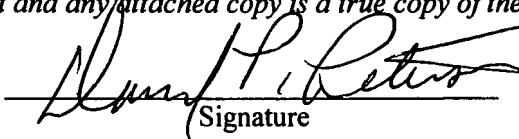
Portland, Oregon 97204-2988

Telephone: 503-226-7391

10. ☒ Please return the attached postcard to confirm that these items have been received.**11. Statement and signature** *To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*

David P. Petersen

Name of Person Signing



Signature

December 21, 2001

Date

ASSIGNMENT

WHEREAS, We, Jules Janick, of West Lafayette, County of Tippecanoe, State of Indiana, and Edwin B. Williams, of Lafayette, County of Tippecanoe, State of Indiana, have invented a certain invention, entitled APPLE TREE NAMED 'Co-op 29', for which we are making application for Letters Patent of the United States, said application having been executed by each of us the same day as set forth next to our respective signatures below; and

WHEREAS, Purdue Research Foundation, a corporation organized under the laws of the State of Indiana, having a place of business at Purdue Univeristy, 1291 Cumberland Avenue, West Lafayette, Indiana 47906, is desires to acquire an interest therein:

NOW, THEREFORE, in consideration of good and valuable consideration, the receipt of which is hereby acknowledged, we, Jules Janick and Edwin B. Williams, hereby sell, assign and transfer to Purdue Research Foundation, the full and exclusive right, title and interest in and to said invention, patent application and patent rights throughout the world, including foreign patent priority rights and foreign Plant Breeders Rights, the right to file and prosecute International Applications, including under the Patent Cooperation Treaty, the right to file and prosecute applications under the European Patent Convention, and the right to file and prosecute applications under the International Union for the Protection of New Varieties (UPOV) and the European Community Plant Variety Office (CVPO); said invention, application, letters patent and varieties protection in this or any foreign country, and all divisions, continuations, reissues and extensions thereof, to be held and enjoyed by Purdue Research Foundation, for its own use and benefit, and for its successors and assigns to the full end of the term for which letters patent may be granted in this or any foreign country, as fully and entirely as the same would have been held by me had this assignment and sale not been made, and covenant that I have full right so to

do, and agree that I will communicate to Purdue Research Foundation, or its successors and assigns, any facts known to me respecting said invention, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths, and do everything possible to aid Purdue Research Foundation, its successors and assigns to obtain and enforce proper patent protection for said invention in this or any foreign country.

We hereby grant the law firm of Klarquist Sparkman Campbell Leigh & Whinston, LLP, the power to insert on this Assignment any further information which may be necessary or desirable in order to comply with all applicable legal requirements, including the rules of the United States Patent and Trademark Office, for submitting and recording this document.

Signed: Jules Janick

Jules Janick

Date: Dec. 12, 2001

STATE OF INDIANA)

COUNTY OF Tippecanoe)

ss.

This 12 day of December, 2001, before me personally came the above-named Jules Janick, who executed the foregoing instrument in my presence, and who acknowledged to me that he executed the same of his own free will for the purposes set forth therein.

Colleen K. Martin

Notary Public For Indiana – Print Name

My commission

expires: 4-17-2008

[SEAL]

Colleen K. Martin
Notary Public State of Indiana
Clinton County
My Commission Exp. April 17, 2008

Signed: Edwin B. Williams
Edwin B. Williams

Date: Dec. 11, 2001

STATE OF INDIANA)
) ss.
COUNTY OF Tippecanoe)

This 11th day of December, 2001, before me personally came the above-named Edwin B. Williams, who executed the foregoing instrument in my presence, and who acknowledged to me that he executed the same of his own free will for the purposes set forth therein.

**COURTNEY A HEDGE
NOTARY PUBLIC STATE OF INDIANA
BOONE COUNTY
MY COMMISSION EXP. AUG. 17, 2009**

Courtney A. Hedge
Notary Public For Indiana - Print Name
Courtney A. Hedge

My commission
expires: August 17, 2009

[SEAL]